

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

MARK ROSS,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-08-676-M
)	
MICHAEL J. ASTRUE,)	
Commissioner of the Social)	
Security Administration,)	
)	
Defendant.)	

ORDER

On April 13, 2009, United States Magistrate Judge Valerie K. Couch issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 405(g) for judicial review of the final decision of the Commissioner of the Social Security Administration (“Commissioner”) denying disability insurance benefits. The Magistrate Judge recommended the Commissioner’s decision be affirmed as to the finding of disability through April 10, 2003 and the remainder of the Commissioner’s decision be reversed and remanded for further administrative proceedings. The parties were advised of their right to object to the Report and Recommendation by May 4, 2009. A review of the file reveals no objection has been filed.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on April 13, 2009;
- (2) AFFIRMS the decision of the Commissioner as to the finding of disability through April 10, 2003 and REVERSES the remainder of the decision of the Commissioner;
- (3) REMANDS for further administrative proceedings consistent with the Report and Recommendation; and

- (4) ORDERS that judgment issue forthwith in accordance with the provisions of sentence four of 42 U.S.C. § 405(g).

IT IS SO ORDERED this 14th day of May, 2009.


VICKI MILES-LaGRANGE
CHIEF UNITED STATES DISTRICT JUDGE